

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

394I0106

HOUSE BILL NO. 1054

Introduced by: The Committee on Judiciary at the request of the Chief Justice

1 FOR AN ACT ENTITLED, An Act to require background checks for applicants seeking
2 admission to the State Bar of South Dakota.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 16-16 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Each applicant for admission to practice as an attorney or counselor at law in this state shall
7 submit to a criminal background investigation, by means of fingerprint checks by the Division
8 of Criminal Investigation and the Federal Bureau of Investigation. The Board of Bar Examiners
9 shall submit completed fingerprint cards to the Division of Criminal Investigation prior to
10 admittance of an applicant. If no disqualifying record is identified at the state level, the
11 fingerprints shall be forwarded by the Division of Criminal Investigation to the Federal Bureau
12 of Investigation for a national criminal history record check. The results of the criminal history
13 check shall be given to the Board of Bar Examiners to determine an applicant's qualification for
14 admission pursuant to § 16-16-2 to 16-16-2.3, inclusive.

